

Coast Guard, DHS

§ 38.01-2

**PART 38—LIQUEFIED FLAMMABLE GASES**

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AUTHORITY: 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. 5101, 5106; E.O. 12234, 45 FR 58801, 3

CFR, 1980 Comp., p. 277; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGFR 66-33, 31 FR 15269, Dec. 6, 1966, unless otherwise noted.

**Subpart 38.01—General**

**§ 38.01-1 Scope of regulations—TB/ALL.**

(a) The regulations in this part contain requirements for the transportation of liquefied or compressed gases, whose primary hazard is one of flammability.

(b) The transportation *on deck* of liquefied flammable gases in portable cylinders and tanks and the transportation of empty cylinders and portable tanks previously used shall be in accordance with the requirements of 49 CFR parts 171-179. The transportation of such containers *under deck* shall be in accordance with the requirements of § 38.01-2.

[CGFR 66-33, 31 FR 15269, Dec. 6, 1966, as amended by CGD 86-033, 53 FR 36024, Sept. 16, 1988]

**§ 38.01-2 Transportation of portable cylinders or portable tanks containing or having previously contained liquefied flammable gases in dry cargo spaces—TB/ALL.**

(a) DOT cylinders, DOT Specification portable tanks or other approved portable tanks containing liquefied flammable gases may be transported under deck, provided the following requirements are met:

(1) The cargo space shall be provided with efficient means of ventilation, be protected from artificial heat, and be readily accessible from hatches.

(2) Containers shall be stored in such a position that the safety relief device is in communication with the vapor space of the container. They shall be properly stowed, dunnaged, and secured to prevent movement in any direction.

(3) Unless a method acceptable to the Commandant is used, the containers shall not be overstowed in the same dry cargo space with other liquefied flammable gas containers, nor with other cargo.

(4) The containers shall be suitably protected against physical damage from other cargo, ship's stores, or equipment in such spaces.